United Nations S/2000/335

Security Council

Distr.: General
19 April 2000

Original: English

Draft resolution

The Security Council,

Recalling its resolution 1265 (1999) of 17 September 1999, the statement of its President of 12 February 1999 (S/PRST/1999/6) and other relevant resolutions and statements of its President,

Having considered the report of the Secretary-General of 8 September 1999 on the Protection of Civilians in Armed Conflict (S/1999/957),

Expressing its appreciation to the informal Working Group established pursuant to resolution 1265 (1999) for its work,

Expressing further its regret that civilians account for the vast majority of casualties in armed conflicts and increasingly are targeted by combatants and armed elements, *reaffirming* its concern at the hardships borne by civilians during armed conflict, in particular as a result of acts of violence directed against them, especially women, children and other vulnerable groups, including refugees and internally displaced persons, and *recognizing* the consequent impact this has on durable peace, reconciliation and development,

Bearing in mind its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, and *underlining* the importance of taking measures aimed at conflict prevention and resolution,

Reaffirming its commitment to the Purposes of the Charter of the United Nations as set out in Article 1 (1-4) of the Charter, and to the Principles of the Charter as set out in Article 2 (1-7) of the Charter, including its commitment to the principles of the political independence, sovereign equality and territorial integrity of all States, and to respect for the sovereignty of all States,

Underlining the need for all parties concerned to comply with the provisions of the Charter of the United Nations and with rules and principles of international law, in particular international humanitarian, human rights and refugee law, and to implement fully the relevant decisions of the Security Council,

1. *Emphasizes* the need, when considering ways to provide for the protection of civilians in armed conflict, to proceed on a case-by-case basis, taking into account the particular circumstances, and *affirms* its intention to take into account relevant recommendations contained in the report of the Secretary-General of 8 September 1999 when carrying out its work;

00-39909 (E) 190400

2. *Reaffirms* its strong condemnation of the deliberate targeting of civilians or other protected persons in situations of armed conflict, and *calls upon* all parties to put an end to such practices;

3. *Notes* that the overwhelming majority of internally displaced persons and other vulnerable groups in situations of armed conflict are civilians and, as such, are entitled to the protection afforded to civilians under existing international humanitarian law;

4. *Reaffirms* the importance of adopting a comprehensive approach to conflict prevention, *invites* Member States and the Secretary-General to bring to its attention any matter which in their opinion may threaten the maintenance of international peace and security, *affirms* in this regard its willingness to consider, in the light of its discussion of such matters, the establishment, in appropriate circumstances, of preventive missions, and *recalls*, in this regard, the statement of its President of 30 November 1999 (S/PRST/1999/34);

5. *Notes that* the deliberate targeting of civilian populations or other protected persons and the committing of systematic, flagrant and widespread violations of international humanitarian and human rights law in situations of armed conflict may constitute a threat to international peace and security, and, in this regard, *reaffirms* its readiness to consider such situations and, where necessary, to adopt appropriate steps;

6. *Invites* the Secretary-General to continue to refer to the Council relevant information and analysis where he believes that such information or analysis could contribute to the resolution of issues before it;

7. *Expresses* its intention to collaborate with representatives of the relevant regional and subregional organizations, where appropriate, in order further to improve opportunities for the resolution of armed conflicts and the protection of civilians in such conflict;

8. *Underlines* the importance of safe and unimpeded access of humanitarian personnel to civilians in armed conflicts, *calls upon* all parties concerned, including neighbouring States, to cooperate fully with the United Nations Humanitarian Coordinator and United Nations agencies in providing such access, *invites* States and the Secretary-General to bring to its attention information regarding the deliberate denial of such access in violation of international law, where such denial may constitute a threat to international peace and security, and, in this regard, *expresses* its willingness to consider such information and, when necessary, to adopt appropriate steps;

9. *Reaffirms* its grave concern at the harmful and widespread impact of armed conflict on civilians, including the particular impact that armed conflict has on women, children and other vulnerable groups, and *further reaffirms* in this regard the importance of fully addressing their special protection and assistance needs in the mandates of peacemaking, peacekeeping and peace-building operations;

10. *Expresses* its intention, where appropriate, to call upon the parties to a conflict to make special arrangements to meet the protection and assistance requirements of women, children and other vulnerable groups, including through the promotion of "days of immunization" and other opportunities for the safe and unhindered delivery of basic necessary services;

11. *Emphasizes* the importance for humanitarian organizations to uphold the principles of neutrality, impartiality and humanity in their humanitarian activities and recalls, in this regard, the statement of its President of 9 March 2000 (S/PRST/2000/7);

12. *Reiterates* its call to all parties concerned, including non-State parties, to ensure the safety, security and freedom of movement of United Nations and associated personnel, as well as personnel of humanitarian organizations, and *recalls*, in this regard, the statement of its President of 9 February 2000 (S/PRST/2000/4);

13. *Affirms* its intention to ensure, where appropriate and feasible, that peacekeeping missions are given suitable mandates and adequate resources to protect civilians under imminent threat of physical danger, including by strengthening the ability of the United Nations to plan and rapidly deploy peacekeeping personnel, civilian police, civil administrators, and humanitarian personnel, utilizing the stand-by arrangements as appropriate;

14. *Invites* the Secretary-General to bring to its attention situations where refugees and internally displaced persons are vulnerable to the threat of harassment or where their camps are vulnerable to infiltration by armed elements and where such situations may constitute a threat to international peace and security, *expresses*, in this regard, its willingness to consider such situations and, where necessary, adopt appropriate steps to help create a secure environment for civilians endangered by conflicts, including by providing support to States concerned in this regard, and *recalls*, in this regard, its resolution 1208 (1998) of 19 November 1998;

15. *Indicates* its willingness to consider the appropriateness and feasibility of temporary security zones and safe corridors for the protection of civilians and the delivery of assistance in situations characterized by the threat of genocide, crimes against humanity and war crimes against the civilian population;

16. *Affirms* its intention to include in the mandates of United Nations peacekeeping operations, where appropriate and on a case-by-case basis, clear terms for activities related to the disarmament, demobilization and reintegration of ex-combatants, including in particular child soldiers, as well as for the safe and timely disposal of surplus arms and ammunition, *emphasizes* the importance of incorporating such measures in specific peace agreements, where appropriate and with the consent of the parties, *also emphasizes* in this regard the importance of adequate resources being made available, and *recalls* the statement of its President of 23 March 2000 (S/PRST/2000/10);

17. *Reaffirms* its condemnation of all incitements to violence against civilians in situations of armed conflict, *further reaffirms* the need to bring to justice individuals who incite or otherwise cause such violence, and *indicates* its willingness, when authorizing missions, to consider, where appropriate, steps in response to media broadcasts inciting genocide, crimes against humanity and serious violations of international humanitarian law;

18. *Affirms* that, where appropriate, United Nations peacekeeping missions should include a mass-media component that can disseminate information about international humanitarian law and human rights law, including peace education and children's protection, while also giving objective information about the activities of the United Nations, and *further affirms* that, where appropriate, regional

peacekeeping operations should be encouraged to include such mass-media components;

19. *Reiterates* the importance of compliance with relevant provisions of international humanitarian, human rights and refugee law and of providing appropriate training in such law, including child and gender-related provisions, as well as in negotiation and communications skills, cultural awareness, civil-military coordination and sensitivity in the prevention of HIV/AIDS and other communicable diseases, to personnel involved in peacemaking, peacekeeping and peace-building activities, *requests* the Secretary-General to disseminate appropriate guidance and to ensure that such United Nations personnel have the appropriate training, and *urges* relevant Member States, as necessary and feasible, to disseminate appropriate instructions and to ensure that appropriate training is included in their programmes for personnel involved in similar activities;

20. *Takes note* of the entry into force of the Convention on the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and their Destruction of 1997 and the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 1980, *recalls* the relevant provisions contained therein, *notes* the beneficial impact that their implementation will have on the safety of civilians and *encourages* those in a position to do so to support humanitarian mine action, including by providing financial assistance to this end;

21. *Notes* that the excessive accumulation and destabilizing effect of small arms and light weapons pose a considerable impediment to the provision of humanitarian assistance and have a potential to exacerbate and prolong conflicts, endanger civilians and undermine security and the confidence required for a return to peace and stability;

22. *Recalls* the decision of the members of the Council set out in the Note by its President of 17 April 2000 (S/2000/319) to establish on a temporary basis an informal Working Group of the Security Council on the general issue of sanctions, and *requests* the informal Working Group to consider the recommendations contained in the report of the Secretary-General of 8 September 1999 relating to its mandate;

23. *Recalls* the letter of its President to the President of the General Assembly of 14 February 2000 (S/2000/119), *takes note* of the letter to its President from the President of the General Assembly of 7 April 2000 (S/2000/298) enclosing a letter from the Chairman of the Special Committee on Peacekeeping Operations of 1 April 2000, *welcomes* in this regard the work by the Committee with reference to the recommendations in the report of the Secretary-General of 8 September 1999 which relate to its mandate, and *encourages* the General Assembly to continue consideration of these aspects of the protection of civilians in armed conflict;

24. *Requests* the Secretary-General to continue to include in his written reports to the Council on matters of which it is seized, as appropriate, observations relating to the protection of civilians in armed conflict;

25. *Requests* the Secretary-General to submit by 30 March 2001 his next report on the protection of civilians in armed conflict, with a view to requesting

additional such reports in future, *further requests* the Secretary-General to include in this report any additional recommendations on ways the Council and other Organs of the United Nations, acting within their sphere of responsibility, could further improve the protection of civilians in situations of armed conflict, and *encourages* the Secretary-General to consult the Inter-Agency Standing Committee in the preparation of the reports;

26. *Decides* to remain seized of the matter.